

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

BARBARA SCHWAB et al., individually and )  
on behalf of all others similarly situated, )  
 )  
Plaintiffs, )  
 )  
v. ) Civ. Action No. 04-CV-1945  
 ) (JBW) (SMG)  
PHILIP MORRIS USA INC. et al., )  
 )  
Defendants. )  
 )  
- )

**Stipulation Of Dismissal With Prejudice**

The parties hereby stipulate to a dismissal of this action with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). It is understood and agreed that each party shall bear its own costs and expenses.

DATED: July 13, 2010

Respectfully submitted,

Benjamin D. Brown  
COHEN MILSTEIN SELLERS &  
TOLL PLLC  
1100 New York Avenue, NW  
Suite 500, West Tower  
Washington, DC 20005  
Phone: (202) 408-4600  
Fax: (202) 408-4699

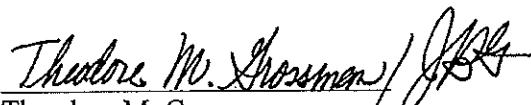
Burton H. Finkelstein  
Richard M. Volin  
FINKELSTEIN, THOMPSON  
& LOUGHREN  
1050 30th Street, NW  
Washington, DC 20007  
Phone: (202) 337-8000  
Fax: (202) 337-8090

*Attorneys for Plaintiffs*

  
\_\_\_\_\_  
Judith Bernstein-Gaeta  
James M. Rosenthal

555 Twelfth Street, N.W.  
Washington, D.C. 20004  
(202) 942-5000

*Attorneys for Defendant Philip Morris USA Inc.*

  
\_\_\_\_\_  
Theodore M. Grossman  
Mark A. Belasic  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114-1190  
(216) 586-3939

– and –

Todd R. Geremia  
JONES DAY  
222 East 41st Street  
New York, New York 10017-6702  
(212) 326-3939

*Attorneys for Defendant R.J. Reynolds Tobacco Co. and Defendant Brown & Williamson Tobacco Holdings (f/k/a Brown & Williamson Tobacco Corporation),*

*individually and as successor by merger to  
The American Tobacco Company*

Alan Mansfield / JBG

Alan Mansfield  
Stephen Saxl  
GREENBERG TRAURIG, LLP  
200 Park Avenue  
New York, New York 10166  
(212) 801-9200

– and –

William L. Allinder  
SHOOK, HARDY & BACON LLP  
2555 Grand Boulevard  
Kansas City, Missouri 64108-2613  
(816) 474-6550

*Attorneys for Defendant Lorillard Tobacco  
Company*

Guy Miller Struve / JBG

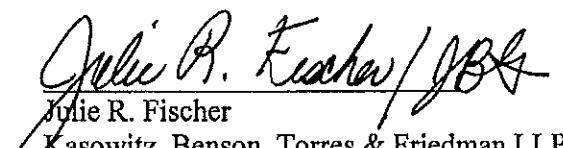
Guy Miller Struve  
DAVIS POLK & WARDWELL LLP  
450 Lexington Avenue  
New York, New York 10017  
(212) 450-4000

*Attorneys for Defendant Altria Group, Inc.*

Joseph G. Falcone / JBG

Joseph G. Falcone  
CHADBOURNE & PARKE LLP  
30 Rockefeller Plaza  
New York, New York 10112  
(212) 408-1082

*Attorneys for Defendants British American  
Tobacco (Investments) Limited and B.A.T  
Industries p.l.c. (reserving all defenses  
including lack of personal jurisdiction)*



Julie R. Fischer  
Kasowitz, Benson, Torres & Friedman LLP  
1633 Broadway  
New York, New York 10019  
(212) 506-1769

*Attorneys for Liggett Group LLC*